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UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR OPPOSITION
TO WAYMO'S JUNE 15, 2017
LETTER BRIEF REGARDING
PRIVILEGE ISSUES AND EXHIBITS
THERE TO**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Defendants' Administrative Motion to File Under Seal Portions of their Opposition to
6 Waymo's June 15, 2017 Letter Brief Regarding Privilege Issues and Exhibits Thereto.

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Defendants' Opposition to Waymo's June 15, 2017 Letter Brief Regarding Privilege Issues ("Opposition")	Highlighted Portions
Exhibit A to the Declaration of Julie DeStefano in Support of Defendants' Opposition	Entire Document
Exhibits A and B to the Declaration of Sylvia Rivera in Support of Defendants' Opposition	Entire Document

17 3. The highlighted portions of the Opposition include details of a business agreement
18 containing non-public, highly confidential information, including highly confidential business
19 information relating to terms of the agreement, including financial terms and conditions. These
20 highlighted portions contain highly sensitive business information that is not publicly known, and
21 their confidentiality is strictly maintained. This information could be used by competitors and
22 counterparties to Uber's detriment, including in the context of negotiating business deals.
23 Disclosure of this information would allow competitors or counterparties to tailor negotiation
24 strategy, including with respect to financial terms and conditions. If such information were made
25 public, Uber's competitive standing could be significantly harmed.

26 4. The entirety of Exhibit A to the Declaration of Julie DeStefano is a non-public,
27 confidential employment document, including non-public, confidential business information
28 relating to Uber's employment and compensation terms. This information is not publicly known,

1 and its confidentiality is strictly maintained. This information could be used by competitors or
 2 counterparties to Uber's detriment, including by using this information to gain an advantage over
 3 Uber in employment negotiations in a competitive market for talent. Disclosure of this
 4 information would allow competitors or counterparties to tailor negotiation strategy, including
 5 with respect to employment and compensation offers. If such information were made public,
 6 Uber's competitive standing could be significantly harmed.

7 5. The entireties of Exhibits A and B to the Declaration of Sylvia Rivera are
 8 Defendants' privilege logs that include the email addresses of certain high-ranking executives
 9 listed within the privilege logs. Defendants seek to seal this information in order to protect the
 10 privacy of these executives, as they are prominent individuals at a company that is currently the
 11 subject of extensive media coverage. Disclosure of this information for these high-ranking
 12 executives could expose them to harm or harassment.

13 6. Defendants' request to seal is narrowly tailored to those portions of Plaintiff's
 14 Letter Brief and its supporting papers that merit sealing.

15 I declare under penalty of perjury that the foregoing is true and correct. Executed this
 16 19th day of June, 2017 at Washington, D.C.

17
 18 /s/ Michelle Yang

Michelle Yang

19
 20
 21 **ATTESTATION OF E-FILED SIGNATURE**

22 I, Arturo J. González, am the ECF User whose ID and password are being used to file this
 23 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has
 24 concurred in this filing.

25 Dated: June 19, 2017

26 /s/ Arturo J. González

Arturo J. González